

Message Text

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60/11

ACTION ARA-10

INFO OCT-01 ISO-00 L-03 OES-03 CIAE-00 DODE-00 NSAE-00

NSCE-00 SSO-00 USIE-00 INRE-00 FEA-01 OIC-02 EUR-12

ACDA-05 AGR-05 AID-05 CEA-01 CEQ-01 CG-00 CIEP-01

OFA-01 COME-00 DLOS-04 DOTE-00 EB-07 EPA-01 ERDA-05

FMC-01 TRSE-00 H-02 INR-07 INT-05 IO-10 JUSE-00

NSC-05 NSF-01 OMB-01 PA-01 PM-03 PRS-01 SP-02 SS-15

/122 W

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O R 240632Z JUL 75

FM AMEMBASSY SAN JOSE

TO SECSTATE WASHDC IMMEDIATE 904

INFO ALL OAS CAPITALS 004

LIMITED OFFICIAL USE SAN JOSE 3066

C O R R E C T E D C O P Y (PARAS MISNUMBERED FROM 3 THRU 5)

USDEL 031

FOR: L/OES, THE GEOGRAPHER, USOAS AND ARA

E.O. 11652: N/A

TAGS: OCON, OAS

SUBJECT: SAN JOSE CONFERENCE - RIO TREATY, AREA OF COVERAGE

REF: STATE 172120; STATE 171364

1. SUMMARY. WORKING GROUP MEETING MORNING JULY 23 APPROVED
ARTICLE 4 BASED ON MAP 1 WITH CHANGES SUGGESTED BY USDEL
ALONG SE US COAST AND SOUTH ATLANTIC. GROUP ALSO AGREED
THAT (UNOFFICIAL) MAP WILL INCLUDE NO COUNTRY DESIGNATIONS,
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SHADED AREAS FOR 200 MILE LIMIT, OR NATIONAL BOUNDARIES.

AFTER BRIEF DEBATE GENERAL COMMITTEE ACCEPTED WORKING GROUP RECOMMENDATIONS DESPITE SOME OBJECTIONS. USDEL BELIEVES STATEMENT FOR INCLUSION IN FINAL ACT OF CONFERENCE TO PROTECT OUR LEGAL POSITION ADVISABLE AND REQUESTS DEPARTMENT GUIDANCE. END SUMMARY.

2. WORKING GROUP OF BRAZIL (CHAIRMAN), ARGENTINA, USA, TRINIDAD AND DOMINICAN REPUBLIC MET TO PROVIDE GENERAL COMMITTEE WITH SPECIFIC RECOMMENDATION REGARDING ARTICLE 4 (AREA OF COVERAGE). BY MUTUAL AGREEMENT MEETING WAS PRIVATE, INFORMAL AND NO MINUTES WERE KEPT. ARGENTINA PROPOSED ITS "BOX" TO EXTEND COVERAGE TO AREA AROUND SANDWICH ISLANDS. USDEL THEN MADE A PROPOSAL SUGGESTING THAT LINE NEAR SE US BE MOVED OUTWARD TO INCLUDE NEW YORK - RECIFE SHIPPING LANES; WE SUGGESTED ALSO THAT WHILE WE HAD NO OBJECTION TO SOMEWHAT GREATER AREA OF COVERAGE OFF EAST COAST OF SOUTH AMERICA, WE BELIEVED IT DESIRABLE TO AVOID SHARP TURNS IN LINES RESULTING IN AREA OF COVERAGE THAT MIGHT MAKE IT DIFFICULT FOR A COUNTRY TO DETERMINE PROMPTLY LIETHER AN ATTACK HAD TAKEN PLACE INSIDE OR OUTSIDE THE AREA. ARGENTINA AGREED, AND THE US PROPOSAL (PARAGRAPH 3 BELOW) WAS ACCEPTED. GROUP ALSO ACCEPTED INCLUSION OF CANADIAN TERRITORY AND PROPOSAL OF TRINIDAD THAT MAP USED TO ILLUSTRATE AREA OF COVERAGE CONTAIN ONLY CONTINENTAL OUTLINE, WITHOUT ANY COUNTRY BOUNDARIES OR LABELS AND WITHOUT ANY SHADED AREAS INDICATING 200 MILE MARGINS.

3. US PROPOSAL CALLS FOR DELETION OF THE SENTENCE IN THE DESCRIPTION OF MAP 1 FOLLOWING "A POINT 47 DEGREES N LATITUDE, 43 DEGREES W LONGITUDE", SUBSTITUTING "...THENCE BY A RHUMB LINE TO A POINT 36 DEGREES N LATITUDE, 65 DEGREES W LONGITUDE; THENCE BY A RHUMB LINE TO A POINT AT THE EQUATOR AND 20 DEGREES W LONGITUDE; THENCE DUE SOUTH TO THE POLE."

4. AFTER WORKING GROUP RECOMMENDATIONS PRESENTED TO GENERAL COMMITTEE, MEXICO OBJECTED STRONGLY TO INCLUSION OF CANADA ON GROUNDS THAT AS CANADA WAS PARTY TO NATO THIS ESTABLISHED AN IMPROPER LINK WITH THAT SYSTEM. MEXICO ALSO ASKED THAT MAP CONTAIN INDICATION OF 200 MILE ZONE, NOT FOR LAW OF SEA REASONS BUT SIMPLY FOR PURPOSES OF ILLUSTRATION. PERU AND LIMITED OFFICIAL USE

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ECUADOR ALSO INDICATED OPPOSITION TO INCLUSION OF ALL OF CANADA. NO ONE OBJECTED TO NEW AREAS OF COVERAGE NEAR SE US AND IN SOUTH ATLANTIC.

5. CANADIAN OBSERVER MADE BRIEF STATEMENT (TEXT WILL BE SENT SEPTTEL WHEN AVAILABLE) NOTING THAT CANADIAN SILENCE ON ISSUE OF CANADIAN COVERAGE SHOULD NOT BE INTERPRETED AS CANADIAN SUPPORT OF INCLUSION, AND THAT CANADA WOULD NOT CONSIDER

AREA OF COVERAGE AS AFFECTING ANY CANADIAN TERRITORIAL OR
OTHER CLAIMS.

6. ARGENTINE DELEGATE OBSERVED BRIEFLY THAT IT HAD
ORIGINALLY PROPOSED A BROKEN LINE TO PERMIT INCLUSION OF
"200 MILES OF ARGENTINE TERRITORY" IN THE VICINITY OF THE S.
SANDWICH ISLANDS, BUT NOTED THAT IT WAS SATISFIED WITH
STRAIGHT LINE THAT HAD BEEN PROPOSED BY THE WORKING GROUP AS AN
ALTERNATIVE.

7. AFTER A RELATIVELY BRIEF DEBATE ARTICLE 4 WAS APPROVED,
16-2-3 (MEXICO AND PERU VOTED AGAINST; ECUADOR, PANAMA AND
GRE OTHER ABSTAINED). (WE CONSIDER VOTE AN ACCEPTANCE AS
WELL OF WORKING GROUP RECOMMENDATION ON NATURE OF ILLUSTRATIVE
MAP.) US DELEGATE CONSIDERED POSSIBILITY OF STATEMENT,
BUT DECIDED AGAINST IT IN INTEREST OF AVOIDING PROLONGED
DEBATE ON LAW OF THE SEA ISSUES. WE BELIEVE,HHOWEVER,
THAT USDEL STATEMENT TO BE MADE AT TIME OF SIGNING AND
RECORDED IN FINAL ACT OF CONFERENCE SHOULD INCLUDE
PARAGRAPH TO THE EFFECT THAT THE UNITED STATES, IN SUPPORTING
ARTICLE 4, DOES SO IN THE UNDERSTANDING THAT THE AREA OF
COVERAGE DELINEATED THEREIN HAS NO EFFECT WHATSOEVER ON THE
SOVEREIGNTY OR NATIONAL OR INTERNATIONAL STATUS OF ANY OF THE
TERRITORIES OR TERRITORIAL CLAIMS AFFECTING AREAS WITHIN
THE REGION. PLEASE PROVIDE COMMENTS/CLEARANCE/ALTERNATIVE
TEXT BY FRIDAY MORNING.

8. FOR THE GEOGRAPHER. PLEASE CHECK TEXTUAL DESCRIPTION OF
LINE AS MODIFIED FOR ACCURACY AND ADVISE.
TODMAN

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: n/a
Control Number: n/a
Copy: SINGLE
Draft Date: 24 JUL 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: GolinoFR
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1975SANJO003066
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D750256-0209
From: SAN JOSE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1975/newtext/t19750725/aaaaawjf.tel
Line Count: 145
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION ARA
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 75 STATE 172120, 75 STATE 171364
Review Action: RELEASED, APPROVED
Review Authority: GolinoFR
Review Comment: n/a
Review Content Flags:
Review Date: 04 SEP 2003
Review Event:
Review Exemptions: n/a
Review History: RELEASED <04 SEP 2003 by WorrelSW>; APPROVED <25 NOV 2003 by GolinoFR>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
06 JUL 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: SAN JOSE CONFERENCE - RIO TREATY, AREA OF COVERAGE
TAGS: OCON, OAS
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006